

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

David James Jannetta,

Civil No. 07-165 (DWF/RLE)

Plaintiff,

v.

ORDER

Joan Fabian, Mike Hatch, Tim Pawlenty,
Terry Carlson, Candice Adamczak,
Dennis Benson, James Christenson,
Andrew Darling, Jamison Doeden,
Robert Feneis, John Garry, Kobie
Hudson, Deb Jeske, Steven McCarty,
Kathleen Mack, Sherman Maddox, Paul
Mickelson, Graig Oseland, Barb Overland,
Thomas Peterson, Jane Ranum,
Kristain Rish, Jean Rudebeck, Erik Skon,
Greg Smith, William Spencer, Joanne
Smith, Timothy Strom, Alan Walz, John
Cosgrove, B. Link, S. Henkel, M. Sarracco,
C. Phillips, J. Eastman, and Stacy Olson,

Defendants.

David James Jannetta, *Pro Se*, Plaintiff.

Based upon the Report and Recommendation of Chief United States Magistrate
Judge Raymond L. Erickson, and after an independent review of the files, records and
proceedings in the above-entitled matter,

IT IS ORDERED:

1. That the Plaintiff's Complaint is summarily **DISMISSED**, but **WITHOUT
PREJUDICE**, pursuant to Title 28 U.S.C. §1915A(b)(1).

2. That Plaintiff's application for leave to proceed *in forma pauperis*, (Doc. No. 2) is **DENIED, AS MOOT.**

3. That the Plaintiff's Motion to Appoint Counsel (Doc. No. 3) is **DENIED, AS MOOT.**

4. That the Plaintiff's Motion to Change Venue (Doc. No. 4) is **DENIED, AS MOOT.**

5. That the Plaintiff is relieved of paying the Court filing fee that would otherwise be due from him.

6. That, while the action is dismissed without prejudice, the action not be counted as a "strike" for purposes of Title 28 U.S.C. § 1915(g).

Dated: February 28, 2007

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court